

# TRADEMARK ASSIGNMENT

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT		
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT		
EFFECTIVE DATE:	03/20/2009		
<b>CONVEYING PARTY DATA</b>			
Name	Formerly	Execution Date	Entity Type
Commerce Bancorp LLC		03/20/2009	LIMITED LIABILITY COMPANY: DELAWARE
<b>RECEIVING PARTY DATA</b>			
Name:	The Toronto-Dominion Bank		
Street Address:	55 King Street		
City:	Toronto		
State/Country:	CANADA		
Entity Type:	Chartered Bank: CANADA		
<b>PROPERTY NUMBERS Total: 1</b>			
Property Type	Number	Word Mark	
Registration Number:	2664917	COMMERCE CAPITAL MARKETS	
<b>CORRESPONDENCE DATA</b>			
Fax Number:	(202)408-4400		
<i>Correspondence will be sent via US Mail when the fax attempt is unsuccessful.</i>			
Phone:	202-408-4000		
Email:	docketing@finnegan.com		
Correspondent Name:	Finnegan & Henderson		
Address Line 1:	901 New York Avenue, N.W.		
Address Line 4:	Washington, DISTRICT OF COLUMBIA 20001		
ATTORNEY DOCKET NUMBER:	09933.0109-00000		
<b>DOMESTIC REPRESENTATIVE</b>			
Name:	Finnegan & Henderson		
Address Line 1:	901 New York Avenue, N.W.		

OP \$40.00 2664917

**900134485**

**TRADEMARK  
 REEL: 003990 FRAME: 0596**

Address Line 4: Washington, DISTRICT OF COLUMBIA 20001

NAME OF SUBMITTER:

Lawrence R. Robins

Signature:

/Lawrence R. Robins/

Date:

05/20/2009

Total Attachments: 2

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## **NUNC PRO TUNC ASSIGNMENT**

Commerce Bancorp LLC, a Delaware Limited Liability Company with its principal place of business at Two Portland Square, Portland, Maine ("Assignor"), is the record owner of the mark identified in Exhibit A and of the U.S. trademark registration therefor ("the Trademark").

On approximately March 20, 2009, The Toronto-Dominion Bank, a Canadian chartered bank with its principal place of business at 55 King Street, Toronto, Ontario, Canada, acquired the Trademark from Assignor. Assignee is the owner in fact of the Trademark and the parties desire to reflect this fact in the records of the U.S. Patent and Trademark Office.

In consideration of the foregoing and for other good and valuable consideration, receipt of which is hereby acknowledged, Assignor hereby assigns nunc pro tunc as of March 20, 2009 to Assignee all its right, title, and interest in and to the Trademark, together with the goodwill of the business associated with the Trademark, and the right to sue and recover for past infringements, dilution, and other violations.

Commerce Bancorp LLC

By: 

Name: John R. Opperman

Title: Vice President

Date: March 20, 2009

**EXHIBIT A**

MARK  
COMMERCE CAPITAL  
MARKETS

REG. NO.  
2,664,917

REG. DATE  
December 24, 2002